



#17 CDAC #

PATENT
ATTORNEY DOCKET NO. 056103-5057-14

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Robert BLAKE et al.

Application No.: 10/071,950

Filed: February 6, 2002

For: BAR CODE READER FOR AUTO-
MATICALLY DETECTING THE
PRESENCE OF A BAR CODE USING
LASER FLICKER

RECEIVED

MAY 21 2004

OFFICE OF PETITIONS

Confirmation No.: 4201

Group Art Unit: Unassigned

OFFICE OF PETITIONS

ATTN: BOX DAC

Commissioner for Patents
BOX DAC
Arlington, VA 22202

Sir:

**PETITION TO REVIVE AN ABANDONED
APPLICATION UNDER 37 C.F.R. § 1.137(b)**

Pursuant to the provisions of 37 C.F.R. §1.137(b), Applicants hereby petition to revive the above-referenced application which has been unintentionally abandoned because no response to the Notice to File Corrected Application Papers dated March 5, 2002 was filed. The Notification set a due date for response of May 5, 2002. A Notice of Abandonment was sent by the USPTO on March 10, 2004.

The entire delay in filing the required response to the Office Action from the due date for the response until the filing of this petition was unintentional.

Applicants hereby petition for revival of this application and include the

following items:

05/19/2004 MGE BREM1 00000113 500310 10071950

01 FC:1454 1330.00 DA

1. Petition fee under 37 C.F.R. §§1.17(m) and 1.137(b)(2)

[X] Authorization to charge **Deposit Acct. No. 50-0310** in the amount of \$1,330.00 for:

Petition to Revive.....\$1,330.00

2. Response to Notice to File Corrected Application Papers and Submission of Replacement Drawings.

3. Constructive Petition

[X] **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and §1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 

Robert J. Goodell

Reg. No. 41,040

Dated: May 18, 2004

Customer No. 009629

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/071,950	02/06/2002	Robert Blake	1274-006N

Steven R. Bartholomew
60 East 42nd Street
New York, NY 10165



CONFIRMATION NO. 4201

FORMALITIES LETTER



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MAY 21 2004

Date Mailed: 03/05/2002

OFFICE OF PETITIONS
NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY